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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,360	11/02/2000	Alahyar Alan Mikhak	17462US01	6303

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EXAMINER

CONTEE, JOY KIMBERLY

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 08/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/706,360	Applicant(s) MIKHAK, ALAHYAR ALAN	
	Examiner Joy K. Contee	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-115 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 34-115 is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claim 1, 2 and 14-115 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen, U.S. Patent No. 6,259,891 in view of Acampora, U.S. Patent Publication No. 2004/0253924.

Regarding claims 1, Allen discloses a personal area network (and communications network), comprising:

a device having a first wireless transceiver (i.e., #34, Fig. 2) (col. 3, lines 45-60 and Fig. 2); and

an adapter (i.e., #35, see Fig. 2) in communication with the first wireless transceiver and a plug capable of mating to a jack coupled to a local cable-based network backbone (reads on IRD connection cable based) and an interface adapted to facilitate communication between a second wireless transceiver (reads on 24, see Fig. 2) and the local backbone (col. 3, line 45 to col. 5, line 61).

Regarding claims 1, 2,20 Allen discloses the limitations of claims 1,19, but fails to mention an adaptor having a second wireless transceiver, nor the Bluetooth protocol.

In a similar field of endeavor, Allen discloses wherein information exchange between the device and the access point comprises using Bluetooth protocol, see p. 2 [0024].

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Allen to include a second transceiver and the use of Bluetooth technology for the purpose of allowing short-range communication in its WLAN environment.

Regarding dependent claims 3-18, Allen also discloses an interface, a packet based network, twisted pair telephone line, digital subscriber line, RJ-11 telephone jack, telephony device, telephone, third wireless transceiver, fourth and fifth wireless transceiver, computer and appliance (col. 2,lines 46-65 and col. 3,lines 30 to col. 6,line 47).

Regarding claims 19, Allen discloses a method of communication, comprising:
exchanging information over a wireless medium between a device and an adapter (and an access point) having a plug mated to a jack coupled to a local cable-based network backbone, (col. 5,line 19 to col. 6,line 47); and

communicating at least a portion of the information between the adapter (access point and coupling the communicated information between the local backbone and an Internet gateway) and the local backbone (col. 3,line 62 to col. 4,line 42).

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Regarding dependent claims 21-33 are Allen also discloses a, an interface, a packet based network, twisted pair telephone line, digital subscriber line, RJ-11 telephone jack, telephony device, telephone, third wireless transceiver, fourth and fifth wireless transceiver, computer and appliance (col. 2,lines 46-65 and col. 3,lines 30 to col. 6,line 47).

Regarding claims 1, 2,20 Allen discloses the limitations of claims 1,19, but fails to mention an adaptor having a second wireless transceiver, nor the Bluetooth protocol.

In a similar field of endeavor, Allen discloses wherein information exchange between the device and the access point comprises using Bluetooth protocol, see p. 2 [0024].

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Allen to include a second transceiver and the use of Bluetooth technology for the purpose of allowing short-range communication in its WLAN environment.

Allowable Subject Matter

4. Claims 34-115 are allowed.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chen et al. US 2005/0164684, discloses a wireless handheld communicator in a process control environment.

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Cianchiarulo et al. US 2006/0129656, discloses a system and methods for underwriting coverage for data transmissions.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K Contee whose telephone number is 571.272.7906. The examiner can normally be reached on M (alternating), T & Th, 5:30 a.m. to 2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571.272.7905. The fax phone number for the organization where this application or proceeding is assigned is 571.273.4300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC


JOY K. CONTEE
PATENT EXAMINER